

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

TANAJEE MADDOX as Administratrix of  
the Estate of GARY TERRANCE PORTER,

Plaintiff,

- v -

SYRACUSE POLICE OFFICER KELSEY  
FRANCEMONE sued herein in her capacity as  
an individual,

Defendant.

Civil Action No.: 5:19-CV-0678  
(BKS/MJK)

**DEFENDANT’S PROPOSED REQUEST TO CHARGE THE JURY**

Defendant respectfully submit the following jury instruction in light of the Court’s decision regarding Defendant’s motion *in limine* #3, which sought to preclude any reference to “homicide” before the Jury.

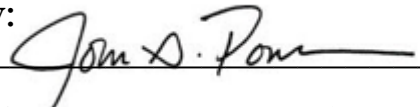
**PROPOSED JURY INSTRUCTION**

During the course of this trial, you may have heard or seen the term “homicide.” It is important that you understand that “homicide” simply refers to the fact that a person’s death resulted from the actions of another. “Homicide” does not indicate criminal wrongdoing, nor does it imply that the death was unlawful.

Homicide can occur in many contexts, including justifiable or lawful circumstances, such as self-defense or actions taken by a law enforcement official in responding to a threat of serious physical harm.

Dated: April 2, 2025  
Syracuse, New York

Respectfully submitted,  
HANCOCK ESTABROOK, LLP

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